

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:) Confirmation No.: 6014
Shunpei YAMAZAKI) Group Art Unit: 2814
Serial No. 10/590,271) Examiner: Bilkis Jahan
Filed: August 22, 2006)
For: ID CHIP AND IC CARD)
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RESPONSE

Honorable Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Official Action mailed May 26, 2009, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Accordingly, the Applicant respectfully submits that this response is being timely filed.

The Applicant notes with appreciation the consideration of the Information Disclosure Statements filed on August 22, 2006; and July 7, 2008.

Claims 1-16 are pending in the present application, of which claims 1-8, 10, 12 and 13 are independent. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

The Official Action continues to assert that the claims 5-7 and 13-15 are product-by-process claims. The Official Action does not appear to address the Applicant's arguments set forth at page 9 of the *Amendment* filed February 3, 2009, and the Official Action has not provided any specific information to support the assertion. In any event, claims 5-7 and 13-15 do not define the claimed product in terms of the process by which